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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/990,766	11/21/2001	Stephen John Hinde	B-4398 619336-4	1903

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EXAMINER

VO, HUYEN X

ART UNIT

PAPER NUMBER

2655

DATE MAILED: 09/20/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b> 09/990,766	<b>Applicant(s)</b> HINDE ET AL.	
	<b>Examiner</b> Huyen Vo	<b>Art Unit</b> 2655	

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --**

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 21 November 2001.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-36 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-36 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 21 November 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All    b) ☐ Some \* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |   |   |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)  | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date <u>3/1/02 &amp; 5/31/02</u> . | 6) <input type="checkbox"/> Other: _____  |

**DETAILED ACTION**

***Claim Rejections - 35 USC § 102***

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this

Office action:

A person shall be entitled to a patent unless —(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 1-6, 8, 10-20, 22-24, 26, and 28-36 are rejected under 35

U.S.C. 102(b) as being anticipated by Allinger (DE Patent No. 19747745).

3. Regarding claim 1, Allinger discloses a method of voice interaction with a nearby entity, comprising the steps of:

(a) associating a group of one or more entities with a separately-hosted voice service (*pages 5-6, particularly last paragraph on page 6*);

(b) upon a user approaching near to any entity of the group, initiating provision of the voice service to that user by joining the user into a communication session established for the service and common to all users of the voice service (*page 5, line 33 to page 6, line 5*);

the voice service acting as voice proxy for said group with each user joined to the session interacting with the service through spoken dialog and hearing at least some of the same voice-service output as all other users joined to the session (*figure 1, taking the fact that users can move freely through the room (page 4), two or more users can be at the same place viewing the same*

*exhibit at the same time. And thus, the control system 9 would transmit the same voice services regarding that particular exhibit to those users).*

4. Regarding claim 19, Allinger discloses a system for enabling verbal communication on behalf of a local entity with a nearby user, the system comprising:

audio input/output means either forming part of equipment carried by the user, or located in the locality of the local entity (*communication unit 4 in figure 1 or page 1, lines 1-12*),

~~communication means over which signals can be transferred respectively~~  
to and from the audio output and input means (*transceiver device 5 in figure 1*);

a voice service arrangement for providing a voice service associated with the entity but separately hosted, the voice service arrangement being arranged to deliver the voice service by providing voice input and output signals via the communications means to the audio input and output means thereby enabling a user to interact with the voice service through spoken dialog (*the operation of figure 1 or pages 3 and 5-6*); and

service initiation means for initiating voice service delivery by the voice service arrangement to a user near the local entity (*pages 5-6, particularly page 5, line 33 to page 6, line 5, initiate appropriate voice services based on user's location and the exhibit being looked at*);

the voice service arrangement including session control means for joining multiple users each near the same local entity or an entity of a group of

associated entities, into a common voice-service communication session in respect of the same local entity or group of entities whereby such users hear at least some of the same voice-service output (*figure 1, taking the fact that users can move freely through the room (page 4), two or more users can be at the same place viewing the same exhibit at the same time. And thus, the control system 9 would transmit the same voice services regarding that particular exhibit to those users*).

5. Regarding claims 2 and 20, Allinger further discloses a method and system according to claims 1 and 19, wherein the voice service selects voice input from one user at any one time in order to determine its next voice output (*page 3, lines 11-22*).

6. Regarding claim 3, Allinger further discloses a method according to claim 2, wherein users do not hear voice input from other users except for the voice input selected by the voice service (*page 5, each user uses a different communication frequency or codes. Therefore, no interference reception is involved*).

7. Regarding claims 4 and 22, Allinger further discloses a method and system according to claims 2 and 20, wherein the voice service selects the voice input from each user currently joined to the session on a sequential basis (*page 3, lines 11-22, inherently included in the signal intake phrase. If one user spoke*

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*a command before another user, the control system would receive the command of the first user before the command of the second user. And thus, the command of the first user is processed before the command of the second user).*

8. Regarding claims 5 and 23, Allinger further discloses a method and system according to claims 2 and 20, wherein the selected voice input is the first input received in response to a completed voice output turn by the voice service (page 3, lines 11-20).

9. Regarding claims 6 and 24, Allinger further discloses a method and system according to claims 2 and 20, wherein the voice service content is divided into sections each comprising at least one voice input and at least one voice output, the user providing the selected voice input being kept the same throughout the delivery of a section (page 6, line 34 to page 7, line 37).

10. Regarding claims 8 and 26, Allinger further discloses a method and system according to claims 1 and 19, wherein the service provides voice output specific to a particular entity of said group, this output being provided only to the users near that entity (pages 5-6).

11. Regarding claims 10 and 28, Allinger further discloses a method and system according to claims 1 and 19, wherein in step (b) the initiating of service provision is effected by the transfer of service contact data to user equipment

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carried by the user, the user equipment then using the contact data to contact the voice service over a wireless connection (*figure 1 and pages 5-6*).

12. Regarding claims 11 and 29, Allinger further discloses a method and system according to claims 1 and 19, wherein in step (b) the initiating of service provision is effected by the transfer of user contact data from user equipment to a receiving device in the vicinity of the entity concerned, the user contact data being passed from the receiving device to the voice service to enable the latter to contact user equipment over a wireless connection (*figure 1 and pages 5-6*).

13. Regarding claims 12 and 30, Allinger further discloses a method and system according to claims 1 and 19, wherein in step (b) the initiating of service provision is effected by determining the relative locations of the user and said entities and initiating the voice service only when the user moves close to a said entity (*pages 5-6*).

14. Regarding claims 13 and 31, Allinger further discloses a method and system according to claims 1 and 19, wherein both voice input by a user to the service and voice output by the service to the user are effected by audio input and output means forming part of equipment carried by the user (*pages 5-6*).

15. Regarding claims 14 and 32, Allinger further discloses a method and system according to claim 1, wherein voice input by a user to the service is

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effected by audio input means forming part of equipment carried by the user (*figure 1 or pages 5-6*), and voice output by the service to the user is effected by audio output means located in the locality of the entity concerned and separate from any equipment carried by the user (*page 1, lines 1-12*).

16. Regarding claims 15 and 33, Allinger further discloses a method and system according to claims 1 and 19, wherein both voice input by a user to the service and voice output by the service to the user are effected by audio input and output devices located in the locality of the entity concerned (*page 1, lines 1-12*) and separate from any equipment carried by the user (*figure 1, device 4*).

17. Regarding claims 16 and 34, Allinger further discloses a method and system according to claims 1 and 19, wherein voice service sound output to at least one user joined to the communication session is through multiple sound output devices controlled so that the sound appears to be originating from said local entity (*page 1, lines 1-12, if the speaker is located at the entity, then the sound must be originated from that speaker*).

18. Regarding claims 17 and 35, Allinger further discloses a method and system according to claims 1 and 34, wherein said multiple sound output devices are headphones worn by the user (*device 4 in figure 1*), the location of the voice service sound output in the audio field generated by the headphones being



controlled to take account of the relative positions of the user and entity and rotations of the user's head (*pages 5-6*).

19. Regarding claims 18 and 36, Allinger further discloses a method and system according to claims 1 and 34, wherein said multiple sound output devices are loudspeakers associated with the locality of the entity rather than with the user (*page 1, lines 1-12*) and connected with the voice service through the communications infrastructure, the sound output from the loudspeakers being controlled in dependence on the relative positions of the user and entity (*pages 5-6*).

***Claim Rejections - 35 USC § 103***

20. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

21. Claims 9 and 27 are rejected under 35 U.S.C. 103(a) as being unpatentable over Allinger (DE Patent No. 19747745) in view of Scott et al. (WO 00/30329).

22. Regarding claim 9, Allinger discloses the step of recognizing the selected user voice input by using speech recognition (*page 6*), but fails to specifically

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disclose a method according to claim 1, wherein the voice service is effected by the serving of voice pages in the form of text with embedded voice markup tags to a voice browser, the voice browser interpreting these pages and carrying out speech recognition of selected user voice input, text to speech conversion to generate voice output, and dialog management; the voice browser being disposed between a voice page server and an arrangement for selecting voice input from amongst the input received from all users and for distributing to the users the voice output of the voice browser.

However, Scott et al. teach that the voice service is effected by the serving of voice pages in the form of text with embedded voice markup tags to a voice browser, the voice browser interpreting these pages, text to speech conversion to generate voice output, and dialog management; the voice browser being disposed between a voice page server and an arrangement for selecting voice input from amongst the input received from all users and for distributing to the users the voice output of the voice browser (*the operation of IVR Unit in figure 1*).

Since Allinger and Scott et al. are analogous art because they are from the same field of endeavors, it would have been obvious to one of ordinary skill in the art at the time of invention to modify Allinger by incorporating the teaching of Scott et al. in order to provide audible responses to assist users learning more about the exhibit that he/she is looking at.

23. Regarding claim 27, Allinger further discloses a speech recognizer for carrying out speech recognition of user voice input received as voice signals

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(page 6), but fails to specifically disclose that the voice service arrangement comprises: a voice page server for serving voice pages in the form of text with embedded voice markup tags; and a voice browser comprising: a dialog manager for effecting dialog control on the basis of output from the speech recognizer and pages served by the voice page server; and a text-to-speech converter operative to convert voice pages into voice output signals under the control of the dialog manager; the voice browser being operatively disposed between the voice page server and the session control means.

However, Scott et al. teach that the voice service arrangement comprises: a voice page server for serving voice pages in the form of text with embedded voice markup tags; and a voice browser comprising: a dialog manager for effecting dialog control on the basis of output from the speech recognizer and pages served by the voice page server; and a text-to-speech converter operative to convert voice pages into voice output signals under the control of the dialog manager; the voice browser being operatively disposed between the voice page server and the session control means (*the operation of IVR Unit in figure 1*).

Since Allinger and Scott et al. are analogous art because they are from the same field of endeavors, it would have been obvious to one of ordinary skill in the art at the time of invention to modify Allinger by incorporating the teaching of Scott et al. in order to provide audible responses to assist users learning more about the exhibit that he/she is looking at.

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24. Claims 7, 21, and 25 are rejected under 35 U.S.C. 103(a) as being unpatentable over Allinger (DE Patent No. 19747745) in view of England (US Patent No. 6144991).

25. Regarding claims 7, 21, and 25, Allinger fails to specifically disclose that each user connected to the session hears voice input from all other such users and all voice output by the service. However, England teaches that each user connected to the session hears voice input from all other such users and all voice output by the service (*col. 5, ln. 1-67*).

Since Allinger and England are analogous art because they are from the same field of endeavors, it would have been obvious to one of ordinary skill in the art at the time of invention to modify Allinger by incorporating the teaching of England in order to other users to hear the voice of the person doing the talk.

### ***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Huyen Vo whose telephone number is 703-305-8665. The examiner can normally be reached on M-F, 9-5:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Doris To can be reached on 703-305-4827. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

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Examiner Huyen X. Vo

September 2, 2004

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SUSAN MCFADDEN  
PRIMARY EXAMINER